
HOUSE BILL 2539

State of Washington **69th Legislature** **2026 Regular Session**

By Representatives Street, Simmons, Santos, and Leavitt

Read first time 01/16/26. Referred to Committee on Community Safety.

1 AN ACT Relating to inmate funds; and amending RCW 72.09.015 and
2 72.09.480.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 72.09.015 and 2022 c 254 s 2 are each amended to
5 read as follows:

6 The definitions in this section apply throughout this chapter.

7 (1) "Adult basic education" means education or instruction
8 designed to achieve general competence of skills in reading, writing,
9 and oral communication, including English as a second language and
10 preparation and testing services for obtaining a high school diploma
11 or a high school equivalency certificate as provided in RCW
12 28B.50.536.

13 (2) "Base level of correctional services" means the minimum level
14 of field services the department of corrections is required by
15 statute to provide for the supervision and monitoring of offenders.

16 (3) "Civil judgment for assault" means a civil judgment for
17 monetary damages awarded to a correctional officer or department
18 employee entered by a court of competent jurisdiction against an
19 inmate that is based on, or arises from, injury to the correctional
20 officer or department employee caused by the inmate while the

1 correctional officer or department employee was acting in the course
2 and scope of his or her employment.

3 (4) "Community custody" has the same meaning as that provided in
4 RCW 9.94A.030 and also includes community placement and community
5 supervision as defined in RCW 9.94B.020.

6 (5) "Contraband" means any object or communication the secretary
7 determines shall not be allowed to be: (a) Brought into; (b)
8 possessed while on the grounds of; or (c) sent from any institution
9 under the control of the secretary.

10 (6) "Correctional facility" means a facility or institution
11 operated directly or by contract by the secretary for the purposes of
12 incarcerating adults in total or partial confinement, as defined in
13 RCW 9.94A.030.

14 (7) "County" means a county or combination of counties.

15 (8) "Department" means the department of corrections.

16 (9) "Earned early release" means earned release as authorized by
17 RCW 9.94A.729.

18 (10) "Evidence-based" means a program or practice that has had
19 multiple-site random controlled trials across heterogeneous
20 populations demonstrating that the program or practice is effective
21 in reducing recidivism for the population.

22 (11) "Extended family visit" means an authorized visit between an
23 inmate and a member of his or her immediate family that occurs in a
24 private visiting unit located at the correctional facility where the
25 inmate is confined.

26 (12) "Good conduct" means compliance with department rules and
27 policies.

28 (13) "Good performance" means successful completion of a program
29 required by the department, including an education, work, or other
30 program.

31 (14) "Immediate family" means the inmate's children,
32 stepchildren, grandchildren, great grandchildren, parents,
33 stepparents, grandparents, great grandparents, siblings, aunts,
34 uncles, and a person legally married to or in a state registered
35 domestic partnership with an inmate. "Immediate family" includes the
36 immediate family of an inmate who was adopted as a child or an adult,
37 but does not include an inmate adopted by another inmate.

38 (15) "Indigent inmate," "indigent," and "indigency" mean an
39 inmate who has less than a ((~~\$25~~)) \$100 balance of disposable income

1 in his or her institutional account on the day a request is made to
2 utilize funds and during the 30 days previous to the request.

3 (16) "Individual reentry plan" means the plan to prepare an
4 offender for release into the community. It should be developed
5 collaboratively between the department and the offender and based on
6 an assessment of the offender using a standardized and comprehensive
7 tool to identify the offender's risks and needs. The individual
8 reentry plan describes actions that should occur to prepare
9 individual offenders for release from prison or jail, specifies the
10 supervision and services they will experience in the community, and
11 describes an offender's eventual discharge to aftercare upon
12 successful completion of supervision. An individual reentry plan is
13 updated throughout the period of an offender's incarceration and
14 supervision to be relevant to the offender's current needs and risks.

15 (17) "Inmate" means a person committed to the custody of the
16 department, including but not limited to persons residing in a
17 correctional institution or facility and persons released from such
18 facility on furlough, work release, or community custody, and persons
19 received from another state, state agency, county, federally
20 recognized tribe, or federal jurisdiction.

21 (18) "Labor" means the period of time before a birth during which
22 contractions are of sufficient frequency, intensity, and duration to
23 bring about effacement and progressive dilation of the cervix.

24 (19) "Physical restraint" means the use of any bodily force or
25 physical intervention to control an offender or limit an offender's
26 freedom of movement in a way that does not involve a mechanical
27 restraint. Physical restraint does not include momentary periods of
28 minimal physical restriction by direct person-to-person contact,
29 without the aid of mechanical restraint, accomplished with limited
30 force and designed to:

31 (a) Prevent an offender from completing an act that would result
32 in potential bodily harm to self or others or damage property;

33 (b) Remove a disruptive offender who is unwilling to leave the
34 area voluntarily; or

35 (c) Guide an offender from one location to another.

36 (20) "Postpartum recovery" means (a) the entire period a woman or
37 youth is in the hospital, birthing center, or clinic after giving
38 birth and (b) an additional time period, if any, a treating physician
39 determines is necessary for healing after the woman or youth leaves
40 the hospital, birthing center, or clinic.

1 (21) "Privilege" means any goods or services, education or work
2 programs, or earned early release days, the receipt of which are
3 directly linked to an inmate's (a) good conduct; and (b) good
4 performance. Privileges do not include any goods or services the
5 department is required to provide under the state or federal
6 Constitution or under state or federal law.

7 (22) "Promising practice" means a practice that presents, based
8 on preliminary information, potential for becoming a research-based
9 or consensus-based practice.

10 (23) "Research-based" means a program or practice that has some
11 research demonstrating effectiveness, but that does not yet meet the
12 standard of evidence-based practices.

13 (24) "Restraints" means anything used to control the movement of
14 a person's body or limbs and includes:

15 (a) Physical restraint; or

16 (b) Mechanical device including but not limited to: Metal
17 handcuffs, plastic ties, ankle restraints, leather cuffs, other
18 hospital-type restraints, tasers, or batons.

19 (25) "Secretary" means the secretary of corrections or his or her
20 designee.

21 (26) "Significant expansion" includes any expansion into a new
22 product line or service to the class I business that results from an
23 increase in benefits provided by the department, including a decrease
24 in labor costs, rent, or utility rates (for water, sewer,
25 electricity, and disposal), an increase in work program space, tax
26 advantages, or other overhead costs.

27 (27) "Superintendent" means the superintendent of a correctional
28 facility under the jurisdiction of the Washington state department of
29 corrections, or his or her designee.

30 (28) "Transportation" means the conveying, by any means, of an
31 incarcerated pregnant woman or youth from the correctional facility
32 to another location from the moment she leaves the correctional
33 facility to the time of arrival at the other location, and includes
34 the escorting of the pregnant incarcerated woman or youth from the
35 correctional facility to a transport vehicle and from the vehicle to
36 the other location.

37 (29) "Unfair competition" means any net competitive advantage
38 that a business may acquire as a result of a correctional industries
39 contract, including labor costs, rent, tax advantages, utility rates
40 (water, sewer, electricity, and disposal), and other overhead costs.

1 To determine net competitive advantage, the department of corrections
2 shall review and quantify any expenses unique to operating a for-
3 profit business inside a prison.

4 (30) "Vocational training" or "vocational education" means
5 "vocational education" as defined in RCW 72.62.020.

6 (31) "Washington business" means an in-state manufacturer or
7 service provider subject to chapter 82.04 RCW existing on June 10,
8 2004.

9 (32) "Work programs" means all classes of correctional industries
10 jobs authorized under RCW 72.09.100.

11 **Sec. 2.** RCW 72.09.480 and 2024 c 32 s 3 are each amended to read
12 as follows:

13 (1) Unless the context clearly requires otherwise, the
14 definitions in this section apply to this section.

15 (a) "Cost of incarceration" means the cost of providing an inmate
16 with shelter, food, clothing, transportation, supervision, and other
17 services and supplies as may be necessary for the maintenance and
18 support of the inmate while in the custody of the department, based
19 on the average per inmate costs established by the department and the
20 office of financial management.

21 (b) "Minimum term of confinement" means the minimum amount of
22 time an inmate will be confined in the custody of the department,
23 considering the sentence imposed and adjusted for the total potential
24 earned early release time available to the inmate.

25 (c) "Program" means any series of courses or classes necessary to
26 achieve a proficiency standard, certificate, or postsecondary degree.

27 (2) When an inmate, except as provided in subsections (4) through
28 (~~((11))~~) (12) of this section, receives any funds in addition to his
29 or her wages or gratuities, except settlements or awards resulting
30 from legal action, the additional funds shall be subject to the
31 following deductions and the priorities established in chapter 72.11
32 RCW:

33 (a) Five percent to the crime victims' compensation account
34 provided in RCW 7.68.045;

35 (b) Ten percent to a department personal inmate savings account;

36 (c) Twenty percent for payment of legal financial obligations for
37 all inmates who have legal financial obligations owing in any
38 Washington state superior court;

1 (d) Twenty percent for any child support owed under a support
2 order;

3 (e) Twenty percent to the department to contribute to the cost of
4 incarceration; and

5 (f) Twenty percent for payment of any civil judgment for assault
6 for all inmates who are subject to a civil judgment for assault in
7 any Washington state court or federal court.

8 (3) When an inmate, except as provided in subsection (~~((10))~~)
9 (11) of this section, receives any funds from a settlement or award
10 resulting from a legal action, the additional funds shall be subject
11 to the deductions in RCW 72.09.111(1)(a) and the priorities
12 established in chapter 72.11 RCW.

13 (4) When an inmate who is subject to a child support order
14 receives funds from an inheritance, the deduction required under
15 subsection (2)(e) and (f) of this section shall only apply after the
16 child support obligation has been paid in full.

17 (5) The amount deducted from an inmate's funds under subsection
18 (2) of this section shall not exceed the department's total cost of
19 incarceration for the inmate incurred during the inmate's minimum or
20 actual term of confinement, whichever is longer.

21 (6)(a) The deductions required under subsection (2) of this
22 section shall not apply to funds received by the department from an
23 offender or from a third party on behalf of an offender for payment
24 of education or vocational programs or postsecondary education degree
25 programs as provided in RCW 72.09.460 and 72.09.465.

26 (b) The deductions required under subsection (2) of this section
27 shall not apply to funds received by the department from a third
28 party, including but not limited to a nonprofit entity on behalf of
29 the department's education, vocation, or postsecondary education
30 degree programs.

31 (7) The deductions required under subsection (2) of this section
32 shall not apply to any money received by the department, on behalf of
33 an inmate, from family or other outside sources for the payment of
34 postage expenses. Money received under this subsection may only be
35 used for the payment of postage expenses and may not be transferred
36 to any other account or purpose. Money that remains unused in the
37 inmate's postage fund at the time of release shall be subject to the
38 deductions outlined in subsection (2) of this section.

39 (8) The deductions required under subsection (2) of this section
40 do not apply to any money received by the department on behalf of an

1 inmate from family or other outside sources for the payment of
2 certain medical expenses. Money received under this subsection may
3 only be used for the payment of medical expenses associated with the
4 purchase of eyeglasses, over-the-counter medications, and offender
5 copayments. Funds received specifically for these purposes may not be
6 transferred to any other account or purpose. Money that remains
7 unused in the inmate's medical fund at the time of release is subject
8 to deductions under subsection (2) of this section.

9 (9) The deductions required under subsection (2) of this section
10 do not apply to any money received by the department on behalf of an
11 inmate from family or other outside sources for the purchase of
12 commissary items. Money received under this subsection may only be
13 used for the purchase of items on the facility commissary list. The
14 amount received by each inmate under this subsection may not exceed
15 the monthly allowance for commissary purchases as allowed by the
16 department. Funds received specifically for these purposes may not be
17 transferred to any other fund, account, or purpose. Money that
18 remains unused in the inmate's commissary fund at the time of release
19 is subject to deductions under subsection (2) of this section.

20 (10) The deductions required under subsection (2) of this section
21 do not apply to any money received by the department on behalf of an
22 inmate from family or other outside sources for the payment of
23 telephone services. Money received under this subsection may only be
24 used for the payment of telephone services and may not be transferred
25 to any other account or purpose. Money that remains unused in the
26 inmate's telephone services fund at the time of release is subject to
27 the deductions under subsection (2) of this section.

28 (11) Inmates sentenced to life imprisonment without possibility
29 of release or sentenced to death under chapter 10.95 RCW receives
30 funds, deductions are required under subsection (2) of this section,
31 with the exception of a personal inmate savings account under
32 subsection (2) (b) of this section.

33 ~~((11))~~ (12) The deductions required under subsection (2) of
34 this section do not apply to funds for subsistence issued by the
35 department to an inmate:

36 (a) Upon the person's transfer from total confinement to partial
37 confinement, or transfer from total confinement to community custody,
38 pursuant to RCW 72.02.100; or

39 (b) For a furlough pursuant to RCW 72.66.070.

1 (~~(12)~~) (13) The secretary of the department of corrections, or
2 his or her designee, may exempt an inmate from a personal inmate
3 savings account under subsection (2)(b) of this section if the
4 inmate's earliest release date is beyond the inmate's life
5 expectancy.

6 (~~(13)~~) (14) The interest earned on an inmate savings account
7 created as a result of the plan in section 4, chapter 325, Laws of
8 1999 shall be exempt from the mandatory deductions under this section
9 and RCW 72.09.111.

10 (~~(14)~~) (15) Nothing in this section shall limit the authority
11 of the department of social and health services division of child
12 support, the county clerk, or a restitution recipient from taking
13 collection action against an inmate's moneys, assets, or property
14 pursuant to chapter 9.94A, 26.23, 74.20, or 74.20A RCW including, but
15 not limited to, the collection of moneys received by the inmate from
16 settlements or awards resulting from legal action.

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